

two pages EEO charge
 + two pages CEO Letter
 six pages of Complaint
 10 pages total

Pro Se 7 (Rev. 12/16) Complaint for Employment Discrimination

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 U.S.D.C. - Atlanta

UNITED STATES DISTRICT COURT

JAN 10 2024

for the

Northern District of Georgia



Atlanta Division

KEVIN P. WEIMER, Clerk
 By: *C. Weimer* Deputy Clerk

Debra Jackson

Case No.

1:24-CV-0126

(to be filled in by the Clerk's Office)

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

Delta Air Lines Inc.,

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

COMPLAINT FOR EMPLOYMENT DISCRIMINATION

I. The Parties to This Complaint

A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	Debra Jackson
Street Address	on file
City and County	on file
State and Zip Code	on file
Telephone Number	on file
E-mail Address	workerbzs@skiff.com

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Pro Se 7 (Rev. 12/16) Complaint for Employment Discrimination

Defendant No. 1

Name	Delta Air Lines inc.,
Job or Title <i>(if known)</i>	
Street Address	P.O Box 20706
City and County	Atlanta Fulton
State and Zip Code	Georgia 30320-6001
Telephone Number	(404) 714-5083
E-mail Address <i>(if known)</i>	douglas.m.clifton@delta.com

Defendant No. 2

Name	Sedgwick
Job or Title <i>(if known)</i>	
Street Address	P.O. Box 1445
City and County	Lexington
State and Zip Code	Kentucky 40512
Telephone Number	(877) 833-9900
E-mail Address <i>(if known)</i>	angela.mcdonald@sedgwick.com

Defendant No. 3

Name	
Job or Title <i>(if known)</i>	
Street Address	
City and County	
State and Zip Code	
Telephone Number	
E-mail Address <i>(if known)</i>	

Defendant No. 4

Name	
Job or Title <i>(if known)</i>	
Street Address	
City and County	
State and Zip Code	
Telephone Number	
E-mail Address <i>(if known)</i>	

C. Place of Employment

The address at which I sought employment or was employed by the defendant(s) is

Name	Delta Air Lines inc.,
Street Address	Hartsfield Jackson International airport
City and County	Atlanta Fulton
State and Zip Code	Georgia
Telephone Number	(404) 714-5083

II. Basis for Jurisdiction

This action is brought for discrimination in employment pursuant to (check all that apply):

☒ Title VII of the Civil Rights Act of 1964, as codified, 42 U.S.C. §§ 2000e to 2000e-17 (race, color, gender, religion, national origin).

(Note: In order to bring suit in federal district court under Title VII, you must first obtain a Notice of Right to Sue letter from the Equal Employment Opportunity Commission.)

☒ Age Discrimination in Employment Act of 1967, as codified, 29 U.S.C. §§ 621 to 634.

(Note: In order to bring suit in federal district court under the Age Discrimination in Employment Act, you must first file a charge with the Equal Employment Opportunity Commission.)

☒ Americans with Disabilities Act of 1990, as codified, 42 U.S.C. §§ 12112 to 12117.

(Note: In order to bring suit in federal district court under the Americans with Disabilities Act, you must first obtain a Notice of Right to Sue letter from the Equal Employment Opportunity Commission.)

☒ Other federal law (specify the federal law):

EEOC Retaliation and Delta CEO Letter of retaliation

☒ Relevant state law (specify, if known):

Title VII Black woman of protected class

☒ Relevant city or county law (specify, if known):

Title VII protected class Black woman

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

A. The discriminatory conduct of which I complain in this action includes *(check all that apply)*:

- ☐ Failure to hire me.
- ☐ Termination of my employment.
- ☐ Failure to promote me.
- ☐ Failure to accommodate my disability.
- ☒ Unequal terms and conditions of my employment.
- ☒ Retaliation.
- ☒ Other acts *(specify)*: On going defamation of character, bullying, wages, age, sex

(Note: Only those grounds raised in the charge filed with the Equal Employment Opportunity Commission can be considered by the federal district court under the federal employment discrimination statutes.)

B. It is my best recollection that the alleged discriminatory acts occurred on date(s) 7/19/23 a Delta employee #360204 used my phone number to make a purchase who I do not know. Interf

C. I believe that defendant(s) *(check one)*:

- ☒ is/are still committing these acts against me.
- ☐ is/are not still committing these acts against me.

D. Defendant(s) discriminated against me based on my *(check all that apply and explain)*:

- ☒ race Human African American
- ☒ color Black
- ☒ gender/sex Female
- ☐ religion _____
- ☒ national origin Human African American
- ☒ age *(year of birth)* 66 *(only when asserting a claim of age discrimination.)*
- ☒ disability or perceived disability *(specify disability)*
on going mental/emotional/cognitive & physical impairm

E. The facts of my case are as follows. Attach additional pages if needed.

Plaintiff was hired by Delta June 12, 1978. She was denied flight attendant position for 20 + years. 2008 began a flight attendant. Nov 2016, she incurred a work-related injury after exhausting WC Delta/Sedwick put her on long-term disability. During her employment she has been subjected to disparate treatment, intimidated, defamation of character, harassment and retaliation to name a few. Her home is constantly under surveillance and her phone calls and computer are being monitored and anytime she leaves home. July 19, 2023, her personal phone number was compromised by Delta employee #360204. A purchase authorized using plaintiff cell number. Thanked her via text for her purchase to plaintiff number. Complained to manager and nothing was done. Plaintiff property on several occasions large trash bags purposely dropped off. Plaintiff doctors are being compromised and bankers

(Note: As additional support for the facts of your claim, you may attach to this complaint a copy of your charge filed with the Equal Employment Opportunity Commission, or the charge filed with the relevant state or city human rights division.)

IV. Exhaustion of Federal Administrative Remedies

- A. It is my best recollection that I filed a charge with the Equal Employment Opportunity Commission or my Equal Employment Opportunity counselor regarding the defendant's alleged discriminatory conduct on *(date)* 10/10/23 Plaintiff signed the second EEOC charge #410-2023-12351 and was offered right to sue. These issues are is on-going with Delta Air Lines / Sedgwick.

- B. The Equal Employment Opportunity Commission *(check one)*:

☐

has not issued a Notice of Right to Sue letter.

☒

issued a Notice of Right to Sue letter, which I received on *(date)* 11/17/2023 .

(Note: Attach a copy of the Notice of Right to Sue letter from the Equal Employment Opportunity Commission to this complaint.)

- C. Only litigants alleging age discrimination must answer this question.

Since filing my charge of age discrimination with the Equal Employment Opportunity Commission regarding the defendant's alleged discriminatory conduct *(check one)*:

☐

60 days or more have elapsed.

☐

less than 60 days have elapsed.

V. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

1. Plaintiff is seeking the maximum in punitive damages. Exemplary and general compensation damages for pain and suffering.
2. Ten properties each in ten different states to be named in court while able to see what properties are available at that time. All properties must be livable at least 1200-2100 sq ft. with land in the northern part of the states of plaintiff choosing. Properties will be released immediately to plaintiff.
3. Long term care insurance at the rate it was when originally offered.
4. Future medical bills to be paid by Sedgwick regarding any work related injury with a doctor of plaintiff's choice.
5. Delta stock 25,000 shares.

VI. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 10/09/2024

Signature of Plaintiff D Jackson

Printed Name of Plaintiff Debra Jackson

B. For Attorneys

Date of signing: _____

Signature of Attorney _____

Printed Name of Attorney _____

Bar Number _____

Name of Law Firm _____

Street Address _____

State and Zip Code _____

Telephone Number _____

E-mail Address _____

EEOC Form 5 (11/09)

CHARGE OF DISCRIMINATION This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.		Charge Presented To: EEOC Agency(ies) Charge No(s): 410-2023-12351							
and EEOC									
_____ State or local Agency, if any									
I Name (indicate Mr., Ms., Mrs., Miss, Mx., Dr., Hon., Rev.) Ms. Debra Jackson		Home Phone 678-404-9411	Year of Birth 1957						
Street Address 3445 Herschel Rd COLLEGE PARK, GA 30337									
Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)									
Name Delta Air Lines		No. Employees, Members 501+ Employees	Phone No.						
Street Address 6000 N Terminal Pkwy ATLANTA, GA 30320									
Name		No. Employees, Members	Phone No.						
Street Address									
City, State and ZIP Code									
DISCRIMINATION BASED ON Age, Disability, Race, Retaliation		DATE(S) DISCRIMINATION TOOK PLACE <table style="width: 100%;"> <tr> <td style="width: 50%; text-align: center;">Earliest</td> <td style="width: 50%; text-align: center;">Latest</td> </tr> <tr> <td style="text-align: center;">07/19/2023</td> <td style="text-align: center;">07/19/2023</td> </tr> <tr> <td colspan="2" style="text-align: center;">Continuing Action</td> </tr> </table>		Earliest	Latest	07/19/2023	07/19/2023	Continuing Action	
Earliest	Latest								
07/19/2023	07/19/2023								
Continuing Action									
THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)): <p>I. I was hired by the above-named employer on June 12, 1978, as a Cabin Service Agent. In the year 2008, I was hired as a Flight Attendant. On November 5, 2016, I incurred a work-related injury. Since that time, I have been out on long term disability leave. During my employment, I have been subjected to disparate treatment, intimidated, and harassed by counterparts, management, and upper management after I sent Ed Bastain, CEO of Delta Air Lines, two compliant letters. The years of harassment and retaliation have escalated. My home is constantly under surveillance, and my phone calls are being monitored. On July 19, 2023, my personal cell phone number was compromised by Delta employee #360204. This employee continues to make unauthorized purchases using my phone number. Most recently on October 3, 2023. On August 14, 2023, I complained to Douglas Clifton, Delta Field Service Manager, but nothing was done. On October 1, 2023, my property was riddled with trash for the fourth time. Over the years, this has been a scare tactic and practice of intimidation to silence employees from speaking out against the injustice at Delta Air Lines.</p>									
I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.		NOTARY – When necessary for State and Local Agency Requirements							
I declare under penalty of perjury that the above is true and correct. Digitally Signed By: Ms. Debra Jackson 10/10/2023		I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief. SIGNATURE OF COMPLAINANT SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (month, day, year)							
Charging Party Signature									

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EEOC Form 5 (11/09)

<p style="text-align: center;">CHARGE OF DISCRIMINATION</p> <p style="text-align: center;">This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.</p>	<p>Charge Presented To: Agency(ies) Charge No(s):</p> <p style="text-align: center;">EEOC 410-2023-12351</p>
<p style="text-align: right;">and EEOC</p> <p style="text-align: center;">_____</p> <p style="text-align: center;"><i>State or local Agency, if any</i></p>	

II. I was told by Mr. Clifton; yes, some unethical things had been done to me. No reason was giving for my disparate treatment. Nothing was done regarding my complaints.

III. I believe that I have been discriminated against based on my race (African American), in violation of Title VII of the Civil Rights Act of 1964, as amended (Title VII), my disability, in violation of Title I of the Americans with Disabilities Act of 1990, as amended (ADA), my age, in violation of the Age Discrimination in Employment Act of 1967, as amended (ADEA), and subjected to retaliation for engaging in protected activity, in violation of Title VII, ADEA, and the ADA.

<p>I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.</p>	<p>NOTARY – <i>When necessary for State and Local Agency Requirements</i></p>
<p>I declare under penalty of perjury that the above is true and correct.</p> <p>Digitally Signed By: Ms. Debra Jackson</p> <p>10/10/2023</p> <p style="text-align: right;"><i>Charging Party Signature</i></p>	<p>I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.</p> <p>SIGNATURE OF COMPLAINANT</p> <p>SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE</p> <p style="text-align: center;"><i>(month, day, year)</i></p>

NAME -

August 25, 2020, I sent you a certified letter signed by Frank Malcolm. This is my second complaint letter to you. Somebody from HR In-flight contacted me by the name Mary. Mary and I spoke for about 45 minutes. The conversation did not go well. I felt worse after speaking to Mary. I learned after speaking to my supervisor Doug Clifton last month Mary is no longer at Delta.

I am still to this day experiencing bullying, harassment, and intimidation tactics from Delta employees and others. Due to me sending you my complaint letter I received retaliatory behaviors from Delta people and the likes. The last work injury was in 2016 November. Harassment has not let up. Delta is responsible for the pain I have suffered. I will attach my original letter to you. Examples are as follows:

1. I am followed every time I leave my house.
2. Delta has harmed me emotionally which exacerbates my physical pain due to work injuries.
3. Impairment of relationships
4. Compromising my Xfinity internet service
5. Compromising my cell phone
6. Listening on my calls and transferring calls elsewhere
7. Blocking contractors from doing work at my home
8. I noticed after I sent you my letter complaining about some of the injustices of discrimination Delta has afflicted on me over the 45 years of service, I received strange calls
9. Delta is aware of my ADA disability it is in my file. Delta management knew and purposely continued to cause me harm because of it. There has been a pattern with management. Read my personal file.
10. My file is full of unethical behavior from this company
11. Delta has not treated me the same as Caucasian co-workers in terms of employment, pay and as a human being.
12. The stress and depression I have been under over the years due to Delta is egregious behavior is bully behavior.
13. 01/31/2020 I went to the bank. A Delta Black female handed a note card to the teller for him to erupt while I was conducting business with the bank manager.
14. 02/05/2020 This happened again at a different bank as a Caucasian Delta employee handed that banker a note card as I sat across the desk from him.
15. I was on a zoom call when a Caucasian girl appeared on the computer screen she was typing on her computer and looked directly at me she looked frustrated and disappeared off the screen she also looked like the person who handed the bank teller a note card. Those "tools" Delta uses to insert a business card and a note.
16. Delta is responsible for correcting the harsh treatment I have experienced.
17. 12/31/02 Sexual harassment employee Mike groped me while working in Scheduling. I reported to my then supervisor Freda

18. 11/15/07 Caucasian pilot Mike Doyle assaulted me in the jetway because I am a Black female. I reported it to my then supervisor E. Hartsfield
19. 4/27/2001 Bettina Brayshaw gave me a warning letter and said' awe I always make you cry."
20. 02/21/2006 Rudi Foster, and Martha Roco were the main names that come to mind who caused me additional stress. When given a warning letter Martha stated, "I did not make you cry." The stress had me in tears often and that information is in my file. Read my file.
21. Sedgwick also owe me from my injuries and some were not reported by Sedgwick.
22. Delta has blocked my emails from my personal computer
23. Delta has my neighbors watching me
24. Last week another infraction with my cell phone occurred from a Delta employee.
25. Delta has people I know calling me to see what I am doing? If I am retired?
26. This is stressful and I rarely leave home.
27. As a Black female. I entered it in FACTS captain did not brief me as A line.
28. 1995 Caucasian Shelly Rodriguez was hired she became a flight attendant 2000. I applied numerous times and I got the position after Barry Noggle retired who was blocking me since 1979. I got inflight 2008. Huge disparity.
29. Other positions I applied for and I was qualified and did not receive interview.
30. 2010 the referral program. Caucasian flight attendant submitted 5 names and all five got hired and she received 500.00 for each. One of my 25 referrals got hired and nothing for me because I am a Black female.

I am seeking back pay, punitive damages

There are other issues I could mention. This is just a few.

I look forward to hearing from you within ten days.

Debra Jackson

#595887